

Notice of Allowability

Application No.

10/605,930

Examiner

TAN Q. NGUYEN

Applicant(s)

XU ET AL.

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/13/2006.
2. ☒ The allowed claim(s) is/are 1-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

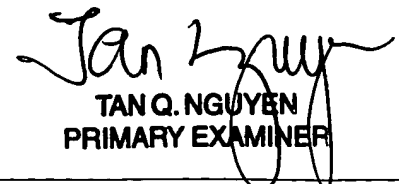
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


TAN Q. NGUYEN
PRIMARY EXAMINER

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

1. This communication is an Examiner's reasons for allowance in response to Appeal Brief filed on October 13, 2006.
2. This application is in condition for allowance except for the presence of claims 36-160 directed to inventions non-elected without traverse. Accordingly, claims 36-160 been cancelled. The message left via telephone has been made with John Antz, the attorney for the applicants, on November 12.
3. The following is the Examiner's statement of reasons for the indication of allowable subject matter:
 - a. After carefully reviewing the application in light of the prior art of record, the amended claims, additional search of all the possible areas relevant to the present application and the arguments on the Appeal Brief, the references used are not deemed strong to make the application unpatentable. Thus, it is found that the application is now in condition for allowance.
 - b. Although the prior art disclose several claimed limitations, none of the references teaches a control system for an automotive vehicle which includes a rollover control system, a camera-based vision system for generating image signals, and a controller coupled to the camera system and the roll over control system, wherein the controller generating a dynamic vehicle characteristic signal in response to the image signals, comprising a wheel lift signal or body-to-road angle signal, the controller controlling the rollover control system in response to the dynamic control signal (claims 1, 11, 12, 21, 31 and 32).

Application/Control Number: 10/605,930

Art Unit: 3661

c. Although the Suzuki reference suggest the use of camera but only use for detecting the obstacle on the roadway, i.e. is not used to detect, generate or determine a roll parameter. There is a roll parameter suggested in the reference, but it's only the roll angle of the camera position. Furthermore, Suzuki reference on suggest the use of one camera and not the camera-based vision system as claimed.

d. Claims 1-35 are allowable over the prior art of record. Claims 36-160 have been canceled.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Tan Nguyen, whose telephone number is (571) 272-6966. The examiner can normally be reached on Monday-Thursday from 5:30 AM-4:00 PM

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (571) 272-6956.

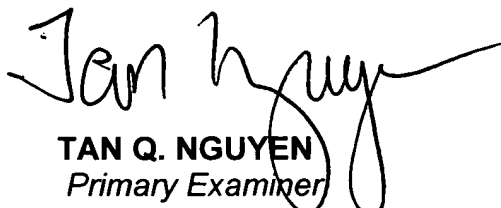
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to the Central Fax: (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/tqn
November 12, 2006


TAN Q. NGUYEN
Primary Examiner
Art Unit 3661

Application/Control Number: 10/605,930

Art Unit: 3661

EXAMINER'S AMENDMENT

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.
2. A message made via telephone for Mr. John Antz, the attorney for the applicants, on November 12, the following change has been made:
3. This application is in condition for allowance except for the presence of claims 36-160 directed to inventions non-elected without traverse.
4. Accordingly, claims 36-160 been cancelled.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Tan Nguyen, whose telephone number is (571) 272-6966. The examiner can normally be reached on Monday-Thursday from 5:30 AM-4:00 PM

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (571) 272-6956.

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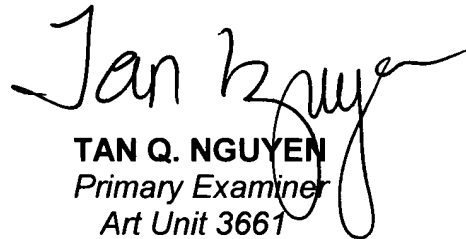
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Application/Control Number: 10/605,930

Art Unit: 3661

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/tqn
November 12, 2006


TAN Q. NGUYEN
Primary Examiner
Art Unit 3661



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

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Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

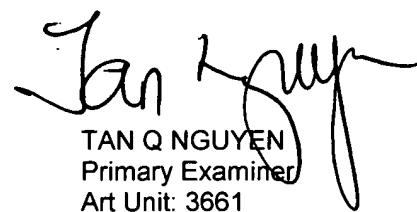
ART UNIT	PAPER
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20061112

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents


TAN Q NGUYEN
Primary Examiner
Art Unit: 3661